



IT IS HEREBY ADJUDGED and DECREED that the below described is SO ORDERED.

Dated: February 10, 2020.

**CRAIG A. GARGOTTA
UNITED STATES BANKRUPTCY JUDGE**

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

IN RE	:	
	:	
LEGENDARY FIELD EXHIBITIONS,	:	CASE NO. 19-50900-cag
LLC, et al.,	:	CHAPTER 7
DEBTORS.	:	
	:	
COLTON SCHMIDT, et. al.	:	
	:	
PLAINTIFFS	:	ADV. NO. 19-05053-cag
	:	
V.	:	
	:	
AAF PLAYERS, LLC, et al.	:	
	:	
DEFENDANTS.	:	

**ORDER ON MOTION OF DEFENDANT THOMAS G. DUNDON TO DISMISS FOR
FAILURE TO STATE A CLAIM FOR RELIEF (ECF NO. 38)**

On February 5, 2020, the Court considered the Motion of Defendant Thomas G. Dundon to Dismiss for Failure to State a Claim for Relief and Brief in Support (ECF

Nos. 38-39). The Court acknowledges that the Plaintiffs have dismissed without prejudice “Count IV-Failure to Pay Wages in Violation of Cal. Labor Code § 201, et seq.” As to the remaining Counts of the First Amended Complaint, for the reasons stated on the record, it is hereby,

ORDERED, ADJUDGED and DECREED, that as to Defendant Thomas G. Dundon, “Count VIII – Inducing Breach of Contract” of the First Amended Complaint is Dismissed, with prejudice, as a matter of law and without leave to re-plead. It is further,

ORDERED, ADJUDGED AND DECREED that, as to Defendant Thomas G. Dundon, “Count III – Promissory Estoppel”, “Count VI – Fraud”, and “Count VII-Promissory Fraud” are Dismissed, without prejudice to the right of the Plaintiffs to re-plead within fourteen (14) calendar days of the entry of this Order.

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Order prepared by:

Patrick H. Autry
Branscomb PLLC
Co-counsel for Defendant Thomas G. Dundon